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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,244	01/21/2004	Kia Silverbrook	RRA12US	1581

24011 7590 11/15/2005

SILVERBROOK RESEARCH PTY LTD
393 DARLING STREET
BALMAIN, 2041
AUSTRALIA

EXAMINER

GARCIA JR, RENE

ART UNIT	PAPER NUMBER
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2853

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.		Applicant(s)	
	10/760,244		SILVERBROOK, KIA	
	Examiner		Art Unit	
	Rene Garcia, Jr.		2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>08 November 2004</u> . | 6) <input type="checkbox"/> Other: ____ |

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DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: Page 9 line 7 makes reference to silicon wafer substrate "801", perhaps mean "8015".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Cook (US 6,158,850).

Cook disclose the following claimed limitations:

*regarding claim 1, printer cartridge/cartridge assembly, 10/ for an inkjet printer/11/
including: (fig. 1; col. 5, lines 41-54)

*ink storage reservoir/base ink reservoir, 20/ (fig. 1)

*printhead/13/ in communication with said ink storage reservoir/20/ (fig.1; col. 5, lines 55-57)

*refill port/ink passage, 16/ (fig. 1) in communication with the ink storage reservoir/20/
and arranged to receive refill ink/ink reservoir, 18/ for replenishing the ink storage reservoir/20/
(fig. 1; col. 5, line 65 – col. 6, line 5)

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*integrated circuit assembly/**memories, 28 & 30/** (fig. 1; also includes printer electronics/**27/** and microprocessor/**36/** - col. 6, lines 30-38 & col. 8, lines 15-26) arranged to store information relating to the properties of at least one of the refill ink/**ink reservoir, 18/** and the ink stored in the ink storage reservoir/**base ink reservoir, 20/** (col. 7, lines 25-35)

*regarding claim 2, information relating to the properties of the refill ink/**18/** or the ink stored in the ink storage reservoir/**20/** includes any of:

*amount of ink remaining in the ink storage reservoir/**20/** (fig. 1; ink level sensor/**38/-** col. 8, lines 59-61)

*origin of the refill ink/**18/** (col. 7, lines 41-52 & col. 9, lines 21-27)

*rheological/**formation of ink supply/** properties of the refill ink/**18/** (col. 9, lines 21-27)

*color of the refill ink/**18/** (col. 7, lines 19-21 & col. 8, lines 22-26 & col. 9, lines 21-27)

*regarding claim 3, integrated circuit assembly includes an electrical contact mounted upon the inkjet printer/**11/** for connection with an integrated circuit of a refill cartridge/**secondary tank, 12/** containing the refill ink/**18/** (col. 6, lines 30-38 & col. 8, lines 27-37)

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cook (US 6,158,850) in view of Waller et al. (US 6,250,738).

Cook disclose all of the claimed limitation except for the following:

*regarding claim 4, printhead is a pagewidth printhead

Waller et al. disclose the following:

*regarding claim 4, printhead is a pagewidth printhead/**page-wide-array printhead**/ (col. 1, line 56) (fig. 1; includes inkjet printhead assembly/12/, ink supply assembly/14/, and mounting assembly/16/)

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize printhead as a pagewidth printhead as taught by Waller et al. into Cook for the purpose of printing one or more lines at a time.

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cook (US 6,158,850) in view of Waller et al. (US 6,250,738).

Cook disclose the following claimed limitations:

*regarding claim 5, method for maintaining the authenticity (ABS) of an ink supply of an inkjet printer/11/ of a type including a removable (col. 9, line 66-col. 10, line 4- base cartridge/10/ installed on print head carrier) printer cartridge/**base cartridge, 10/** containing an ink storage/**ink reservoir, 20/** means in communication with a printhead/13/, the method including the steps of: (fig. 1)

*providing an ink refill cartridge/**secondary ink tank, 12/** including an intergrated circuit assembly/**memories, 28 & 30/** (fig. 1; also includes printer electronics/27/ and

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microprocessor/36/ - col. 6, lines 30-38 & col. 8, lines 15-26) that stores information relating to the properties of the refill ink/**ink reservoir, 18/** (col. 9, lines 21-27)

*connecting the ink refill cartridge/**secondary ink tank, 12/** to the printer cartridge/**base cartridge, 10/** (/ink passage, 16/; fig. 1; col. 5, line 65 – col. 6, line 5)

*performing a test to compare the properties of the refill ink/**18/** with the properties of the ink stored in the ink storage means/**ink reservoir, 20/** (col. 7, lines 40-53 & col. 9, lines 28-44)

Cook does not disclose the following claimed limitations:

*regarding claim 5, print cartridge in communication with a pagewidth printhead

Waller et al. disclose the following:

*regarding claim 5, print cartridge in communication with a carpagewidth printhead/**page-wide-array printhead/** (col. 1, line 56) (fig. 1; includes inkjet printhead assembly/12/, ink supply assembly/14/, and mounting assembly/16/)

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize a print cartridge in communication with a pagewidth printhead as taught by Waller et al. into Cook for the purposes of printing one or more lines at a time.

Conclusion


7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Suda et al. (US 6,851,797) discloses an ink cartridge with semiconductor storage containing information such as amount of ink of each color. Yamazaki et al. disclose a method of controlling ink jet recording apparatus including main and sub-tanks with IC chip for storing count of an ink cartridge consumption counter.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rene Garcia, Jr. whose telephone number is (571) 272-5980. The examiner can normally be reached on M-F 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Rene Garcia Jr
08 November 2005

 11/05
K. FIGGINS
PRIMARY EXAMINER

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